

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2019- -T

IN RE: Petition of the Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers For Failure to Maintain and File Evidence of Insurance)))))	PETITION FOR REVOCATION OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY OF CERTAIN MOTOR CARRIERS
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The South Carolina Office of Regulatory Staff (“ORS”), by filing this petition, would respectfully show and request of the Public Service Commission of South Carolina (“Commission”):

1. That the Commission is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of motor vehicle carriers operating for compensation as set forth in S.C. Code Ann. § 58-23-10 *et seq.* (2015 and Supp. 2015); that ORS is charged with the duty to protect the public interest pursuant to S.C. Code Ann. § 58-4-10 *et seq.* (2015 and Supp. 2015).

2. That the companies listed in Exhibit A have been approved by the Commission and certified by ORS to operate as “motor vehicle carriers” as defined in S.C. Code Ann. § 58-23-10(4) (2015) in that they own, control, operate, or manage motor propelled vehicles, not usually operated on or over rails, used in the business of transporting persons or property for compensation over improved public highways in this state.

3. That the companies listed in Exhibit A, each having applied for and having an Order from the Commission to receive a Certificate of Public Convenience and Necessity (“PC&N”) to operate a motor vehicle carrier as defined in S.C. Code Ann. § 58-23-10(4) (2015), have submitted to the jurisdiction of the Commission by holding said Certificate PC&N, and are therefore subject to the jurisdiction of this

Commission pursuant to S.C. Code Ann. § 58-23-1010 *et seq.* (2015 and Supp. 2015). See Exhibit A, Carriers Out of Compliance for Failure to Maintain and File Evidence of Insurance.

4. That the companies listed in Exhibit A, prior to receiving their Certificate PC&N, were each found to be fit, willing and able to operate as a motor carrier by the Commission; from our understanding that in obtaining such authority the companies certified they are “familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina and agree to operate in compliance with these statutes and regulations.” 10 S.C. Code Ann. Regs. 103-133(4)(a) (2012); further, the companies certified they are “aware of the commission's insurance requirements and the costs associated therewith.” 10 S.C. Code Ann. Regs. 103-133(4)(b) (2012).

5. That the Commission requires motor carrier applicants to procure and file with the Commission proper proof of insurance and that the insurance “must be kept in full force and effect and failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. § 58-23-910 (2015).

6. That the companies listed in Exhibit A have failed to file proof of insurance as required by S.C. Code Ann. § 58-23-910 (2015) and 10 S.C. Code Ann. Regs. 103-171 and/or 103-174 (2012). See Exhibit B, Affidavit of Carole Chauvin.

7. That ORS notified the companies listed in Exhibit A through certified mail, return receipt requested, of their failure to file the required documents providing evidence of insurance; that despite this notification, the listed companies have continued to fail to comply with the requirements of providing evidence of insurance.

8. That “[a] failure to file evidence of insurance, self-insurance or surety bond shall be just cause for the commission, without further evidence or hearing, to suspend its order granting authority or to suspend the certificate or any license issued to the motor carrier. A failure to keep all insurance, self-insurance, or surety bond in full force and effect shall result in automatic suspension, upon receipt of an affidavit from the ORS with supporting evidence, of the commission’s order granting authority, the certificate, and any license issued to the motor carrier....” 10 S.C. Code Ann. Regs. 103-175 (2012); further, that “the [insurance] policy, [surety] bond or certificate of self-insurance...must be kept in full force

and effect and failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. § 58-23-910 (2015).

9. That “[t]he commission may at any time, after notice and opportunity to be heard, suspend, revoke, alter, or amend any certificate, if it shall be made to appear that the holder has willfully violated or refused to observe orders, rules, or regulations prescribed by the commission, provisions of the Motor Vehicle Carrier Law, or any other law of this State regulating motor carriers for hire and applicable to the holder of such certificate, or, if, in the opinion of the commission, the motor carrier holding a Certificate of PC&N is not furnishing adequate service or it is no longer compatible with the public interest to continue said certificate in force, or, if in the opinion of the commission, the motor carrier holding a Certificate of FWA is no longer furnishing adequate service, or said carrier no longer meets the fit, willing, and able criteria....” 10 S.C. Code Ann. Regs. 103-240 (2012).

10. That “[t]he commission may, after a hearing, order the suspension, revocation, alteration, or amendment of any certificate issued pursuant to Articles 1 through 11 of this chapter, if it is proved that the holder of the certificate wilfully made any misrepresentation of a material fact in obtaining his certificate or wilfully violated or refused to observe the laws of this State touching motor vehicle carriers or wilfully violated any of the terms of his certificate or of the commission’s proper orders, rules or regulations. But the holder of the certificate has the right of appeal to any court of competent jurisdiction. The commission must not be a party to any appeal.” S.C. Code Ann. § 58-23-320 (2015).

11. That the information listed in Exhibit A is the mailing address for each carrier on file with the Commission and ORS and the information listed in Exhibit A was provided by each carrier listed in Exhibit A. See Exhibit A, Carriers Out of Compliance for Failure to Maintain and File Evidence of Insurance. See Exhibit B, Affidavit of Carole Chauvin.

WHEREFORE, ORS respectfully requests that the Honorable Commission:

1. Provide for the opportunity by the carrier to respond to the allegations of this Petition within (30) days from the date of receipt of this Petition;

2. Schedule and conduct a formal administrative hearing as soon as practicable to address disputed issues of fact and law regarding the Certificates of PC&N of the carriers listed in Exhibit A, which ORS seeks to have revoked by the Commission in this action pursuant to 10 S.C. Code Ann. Regs. 103-175 and 103-240 (2012) and S.C. Code Ann. § 58-23-320 (2015);
3. Following the formal administrative hearing, immediately rule to revoke the Certificates of those motor carriers listed in Exhibit A in accordance with the authority provided to the Commission under 10 S.C. Code Ann. Regs. 103-240 (2012) and S.C. Code Ann. § 58-23-320 (2015) and thereafter immediately enter a final Order; and,
4. For other appropriate action which the Commission may deem necessary.



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March 6, 2019
Columbia, South Carolina

March 6, 2019

Docket No. _____

No	Docket #	Cert Type	NAME	DBA	ADDRESS	CITY	STA	ZIP CODE
1	2016-283-T	Class C Charter	B. Fishers, LLC	Carolina Safari Tours	9593 N Kings Hwy	Myrtle Beach	SC	29572
2	1999-287-T	Class C Charter Bus	Charles Wells	Freelance Express	1303 Wessinger Rd	Columbia	SC	29203
3	2015-414-T	Class C Taxi	Charleston Downtown Taxi, LLC		PO Box 12880	Charleston	SC	29422
4	2012-67-T	Class C Charter Bus	Charleston Style Limo Service, LLC	.	PO Box 20213	Charleston	SC	29413
5	2010-398-T	Class C Charter	Charleston Style Limo Service, LLC		PO Box 20213	Charleston	SC	29413
6	2016-24-T	Class C Non-Emer	Community Transit Care LLC		726C N Maple St	Pageland	SC	29728
7	1999-226-T	Class C Charter	Crystal Transportation, LLC		11 Martin Luther King Blvd.	Charleston	SC	29407
8	2015-216-T	Class C Charter	Danielle Williams and Septian Jones	V.I.P. Limo	5 Kids Way	Hilton Head	SC	29926
9	2011-182-T	Class C Non-Emer	Elite National Transportation Service, LLC		623 Garden Hills Dr	Florence	SC	29505
10	2007-7-T	Class C Taxi	Francis B. Mills	Alpha & Omega Taxi Service	201 O'Shields St	Union	SC	29379
11	1979-101-T	Class E HHG	General Warehouse Company, Inc.		1812 Mascaro Ln	Port Royal	SC	29935
12	2013-420-T	Class C Charter	HHM Enterprises, LLC		311 N Jackson St	Kingstree	SC	29556
13	2014-447-T	Class C Charter	Holy City Limo LLC	Holy City Limo	1840 Cherokee Rose Cir	Mt Pleasant	SC	29466
14	2018-39-T	Class C Charter Bus	J & S Charter Services, LLC		2015 Tuskegee St	Savannah	GA	31405
15	2009-387-T	Class C Taxi	Jamie Dixon		2257 Blass Dr	Florence	SC	29505
16	2018-23-T	Class C Non-Emer	Jeromy Moses		3726 Beckford St	Florence	SC	29501
17	2015-120-T	Class C Taxi	John Duncan		213 W. White St	Rock Hill	SC	29730
18	2004-132-T	Class C Taxi	Khalifa G. Idrissi	Carolina Cab	429 West Perry Rd	Myrtle Beach	SC	29579
19	2010-30-T	Class C Charter	Laluana A. Pinckney	Columbia Shuttle Service	132 Green Springs Ct	Columbia	SC	29223
20	2010-324-T	Class C Taxi	Maeblle Smith	Paradise Luxury Taxi	4937 Nesbit Ave	N Charleston	SC	29405
21	2018-152-T	Class C Taxi	Mohamed Ali	Champion Transportation	4541 Rivers Ave	North Charleston	SC	29405
22	2017-307-T	Class C Taxi	Patty Sweetenburg	Faith Taxi Service	1301 S 5th St Apt B4	Hartsville	SC	29550
23	2018-121-T	Class C Charter	PGF, LLC	The Total Car Service	1643-B Savannah Hwy Unit 257	Charleston	SC	29407
24	2015-118-T	Class E HHG	Professional Moving Service, LLC		814 Dupont Rd #10	Charleston	SC	29407
25	2018-234-T	Class C Non-Emer	Quincy Singletary	Singletary Transportation Services	36 Hayes Ln	Kingstree	SC	29556
26	2003-99-T	Class C Taxi	Robert Brandt	Waterway Taxi	1007 Hazelnut Ridge Rd	Myrtle Beach	SC	29588
27	2011-407-T	Class C Non-Emer	RS Investments of Florence, LLC	RS Transport	1685 Reedroman Rd	Sumter	SC	29153
28	2015-316-T	Class C Taxi	Ruth A. Parker		624 Middleberg Way	Florence	SC	29505
29	2005-51-T	Class C Non-Emer	Sandhills Ambulance Service, Inc.		PO Box 938	Cheraw	SC	29520
30	2016-329-T	Class C Non-Emer	Sunrise Solutions, LLC		PO Box 267	Green Pond	SC	29446
31	1998-322-T	Class E HHG	Tonya J. Glaser	Glaser & Sons Local Mooving	109 Dogwood Lane	Greenville	SC	29611
32	2018-65-T	Class C Charter	Uncle Marty Transportation (UMT) LLC		311 Danby Woods Ct	Summerville	SC	29485
33	2017-139-T	Class C Charter Bus	Vaughan Transit, LLC		207 Cowden Rd	Jackson	SC	29831
34	2017-94-T	Class C Taxi	Zion Taxi LLC		5730 Highway 707 Lot 65	Myrtle Beach	SC	29588

EXHIBIT B

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. _____

March 6, 2019

IN RE: Petition of the Office of Regulatory Staff to Revoke
Certificates of Public Convenience and Necessity of
Certain Motor Carriers for Failure to Maintain and
File Evidence of Insurance

AFFIDAVIT OF
CAROLE CHAUVIN

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Carole Chauvin and I am employed by the Office of Regulatory Staff ("ORS") as a Program Specialist for the Transportation Department.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) My duties and responsibilities as a Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On March 6, 2019, I examined the business records on file with ORS.
- 7) As a result of that examination, I attest that the proof of insurance as required by 10 S.C. Code Ann. Regs. 103-171 and/or 103-174 (2012) has not been filed with ORS by the following carriers as of March 6, 2019: (See attached list)

AND FURTHER THE AFFIANT SAYETH NOT.

Carole Chauvin

Carole Chauvin
Program Specialist, Transportation Department
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, S.C. 29201

Sworn and subscribed before me
this 6th day of March, 20 19

Samuel

Notary Public for South Carolina
My Commission Expires: 10/16/2027